

UNITED STATES DISTRICT COURT

for the
Southern District of Ohio

Howard Industries,

Plaintiff

v.

Ace American Insurance Company, et al.,

Defendant

Civil Action No. 2:13-cv-0677

JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the plaintiff (*name*) _____ recover from the
defendant (*name*) _____ the amount of
_____ dollars (\$ _____), which includes prejudgment
interest at the rate of _____ %, plus postjudgment interest at the rate of _____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) _____
_____ recover costs from the plaintiff (*name*) _____.

☒ other: The Court GRANTS IN PART and DENIES IN PART Plaintiff's motion to certify the Court's March 12, 2014 Order for immediate appeal. (ECF No. 64.) Judgment is hereby entered in Ace's favor as to Count Five in the Second Amended Complaint (Declaratory Judgment as to Co-Insurance Provision) and in Plaintiff's favor as to Count Six of the Second Amended Complaint against Ace (Declaratory Judgment as to Pollution Cleanup Provision).

This action was (*check one*):

☐ tried by a jury with Judge _____ presiding, and the jury has rendered a verdict.

☐ tried by Judge _____ without a jury and the above decision was reached.

☒ decided by Judge Gregory L. Frost _____ on a motion for

Certificate of Appealability

Date: 01/22/2015

CLERK OF COURT

Signature of Clerk or Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
Eastern DIVISION

<u>Howard Industries,</u>	:	
<i>Plaintiff</i>	:	
vs	:	Case Number: 2:13-cv-0677
<u>Ace American Insurance Company, et al.,</u>	:	
<i>Defendant</i>	:	

NOTICE OF DISPOSAL PER SOUTHERN DISTRICT OF OHIO LOCAL RULES
79.2(a)&(b)

The above captioned matter has been terminated on 01/22/2015.

If applicable to this case, the disposal date will be six (6) months from the above termination date.

Rule 79.2(a) Withdrawal by Counsel:

All depositions, exhibits or other materials filed in an action or offered in evidence shall not be considered part of the pleadings in the action, and unless otherwise ordered by the Court, shall be withdrawn by counsel without further Order within six (6) months after final termination of the action.

Rule 79.2 (b) Disposal by the Clerk

All depositions, exhibits or other materials not withdrawn by counsel shall be disposed of by the Clerk as waste at the expiration of the withdrawal period.

JOHN P. HEHMAN, CLERK

By: Kristen Keppeler
Deputy Clerk